

THE HONORABLE RICARDO S. MARTINEZ
Trial Date: November 29, 2021

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

RUSSELL H. DAWSON, Personal
Representative of the Estate of Damaris
Rodriguez; REYNALDO GIL; JOSE
MARTE; A.G.; I.G.; S.G.; D.G.,

Plaintiffs,

v.

SOUTH CORRECTIONAL ENTITY
("SCORE"), a Governmental Administrative
Agency; PENNY BARTLEY; JIM KELLY;
TODD BARKER; BRITTNEY PALMORE;
BRANDON HEATH; PEDRO SANTOS;
MANDI JARAMILLO; WILLIAM WOO;
BENDA SCOTT a/k/a BRENDA SCOTT;
ETHAN GLOVER; CHRISTOPHER FOY;
JANE DORE; COLMINTON ALLEN;
AARON SEIPP; SCORE JOHN DOES 1-
10; NAPHCARE, INC., an Alabama
Corporation; REBECCA VILLACORTA;
HENRY TAMBE; NANCY WHITNEY;
BILLIE STOCKTON; BRITTANY
MARTIN; JESSICA LOTHROP; BROOKE
WALLACE; SALLY MUKWANA; JOAN
KOSANKE; RITA WHITMAN; VIRGINIA
RICHARDSON; NAPHCARE JOHN
DOES 1-10; KING COUNTY, a political
subdivision of the State of Washington;
RAUL ADAMS; LELAND ADAMS;
ALAN TAG,

Defendants.

No. 2:19-cv-01987-RSM

[PROPOSED]

STIPULATION FOR AND ORDER OF
DISMISSAL

[CLERK'S ACTION REQUIRED]

STIPULATION

Plaintiffs and the SCORE Defendants have agreed to the dismissal of all claims against Defendant SCORE other than those based on state tort law. Specifically, as noted by the Court:

The claims to be dismissed include the Third, Fourth, Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, and Fourteenth claims in Plaintiffs' First Amended Complaint, Dkt. 49, to the extent they relate to SCORE and the individually named SCORE Employee Defendants. The Seventh Claim for relief is pled against all entity and individual defendants and the Tenth Claim for Relief is pled against SCORE and NaphCare, but this order does not affect those Claims for Relief against NaphCare or NaphCare Employee Defendants because they are not a party to this partial compromise of claims.

Order Granting Plaintiffs' Petition to Approve Partial Compromise of Claims Against SCORE, Dkt. No. 199 ("The parties shall file a stipulation dismissing the non-tort claims addressed in the agreement.").

Additionally, Plaintiffs and the SCORE Defendants have agreed to dismiss with prejudice any and all claims against all remaining individual SCORE Employee Defendants, so the state law tort claims that will remain are against SCORE only. The Court previously dismissed SCORE Employee Defendants Brandon Heath; Pedro Santos; Ethan Glover, and Colminton Allen. *See, Dkt. No. 157*. Thus, the following individual defendants shall be dismissed with prejudice: Penny Bartley; Jim Kelly; Todd Barker; Brittney Palmore; Mandi Jaramillo; William Woo; Benda Scott a/k/a Brenda Scott; Christopher Foy; Jane Dore; and Aaron Seipp.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and the SCORE Defendants that all of the above-described claims may be dismissed with prejudice and without assessment by the Court of costs or attorneys' fees to either party.

//

//

//

//

1 Dated: September 22, 2021

KEATING, BUCKLIN & McCORMACK, INC., P.S.

2
3 By: /s/ Stewart A. Estes
4 Stewart A. Estes, WSBA #15535
5 Attorneys for SCORE Defendants
6 801 Second Avenue, Suite 1210
7 Seattle, WA 98104
8 Ph.: (206) 623-8861 / FAX: (206) 223-9423
9 sestest@kbmlawyers.com

10 Dated: September 22, 2021

LAW, LYMAN, DANIEL, KAMERRER &
BOGDANOVICH, P.S.

11 By: /s/ John E. Justice
12 John E. Justice, WSBA # 23042
13 Attorneys for SCORE Defendants
14 Email: jjustice@lldkb.com
15 P.O. Box 11880
16 Olympia, WA 98508-1880
17 Telephone: (360) 754-3480

18 Dated: September 22, 2021

WILLIAMS KASTNER

19 By: /s/ Heidi L. Mandt
20 Heidi L. Mandt, WSBA # 26880
21 Email: hmandt@williamskastner.com
22 1515 SW Fifth Avenue, Suite 600
23 Portland, OR 97201-5449
24 Telephone: (503) 228-7967
25 Attorneys for the NaphCare Defendants

26 Dated: September 22, 2021

KRUTCH LINDELL BINGHAM JONES, PS

27 By: /s/ Nathan J. Bingham
Nathan J. Bingham, WSBA #46325
Email: JNB@krutchlindell.com
James T. Anderson, WSBA #40494
Email: JTA@krutchlindell.com
Jeffrey C. Jones, WSBA #7670
Email: JCJ@krutchlindell.com
600 University Street, Suite 1701

1 Seattle, WA 98101
2 Telephone: (206) 682-1505

3 Dated: September 22, 2021

TERRELL MARSHALL LAW GROUP PLLC

4
5 By: /s/ Toby J. Marshall
6 Toby J. Marshall, WSBA #32726
7 Email: tmarshall@terrellmarshall.com
8 Maria Hoisington-Bingham, WSBA #51493
9 Email: mhoisington@terrellmarshall.com
10 936 North 34th Street, Suite 300
11 Seattle, Washington 98103-8869
12 Telephone: (206) 816-6603
13 *Attorneys for Plaintiffs*

14
15
16
17
18
19
20
21
22
23
24
25
26
27
ORDER

PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED that
Plaintiffs' claims against the SCORE Defendants as described in the above Stipulations are
dismissed with prejudice and without assessment by the Court of costs or attorneys' fees to
either party.

DATED this _____ day of _____, 2021.

THE HONORABLE RICARDO S. MARTINEZ